

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF LABOR STATISTICS & RESEARCH455 Golden Gate Avenue, 9th Floor
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SHIFT PROVISIONS

FOR

TEAMSTER (SECOND SHIFT)
TEAMSTER (SPECIAL SHIFT)

IN

**IMPERIAL, INYO, KERN, LOS ANGELES, MONO, ORANGE, RIVERSIDE, SAN
BERNARDINO, SAN LUIS OBISPO, SANTA BARBARA, AND VENTURA
COUNTIES**

Note: The shift provisions provided in the following pages provide guidance on the work hours that are applicable to each shift. Shift differential pay is required and will be enforced during each applicable shift where shift differential pay is in the determinations. Any shift provision restricting the work hours for a particular shift for a type of work will not be enforced on public works. However, if work is performed during hours typically associated with a 2nd or 3rd shift the appropriate shift rate of pay is required. Shift differential pay shall not apply to work during traditional shift hour (swing or grave) if the determination includes a footnote that indicates that the non-shift rate may be paid for a special single shift. Please note the exemptions in California Code of Regulations Section 16200 (a)(3)(F) do not waive the shift differential pay. These regulatory exemptions only apply to overtime pay. Overtime shall be required in accordance with the determination and Labor Code Section 1810 through 1815.

23-261-2



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Department of Industrial Relations

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Div. of Labor Statistics & Research
Chief's Office

SOUTHERN CALIFORNIA

**CONSTRUCTION
MASTER
LABOR AGREEMENT**

between

**SOUTHERN CALIFORNIA
GENERAL CONTRACTORS**

and

TEAMSTERS JOINT COUNCIL #42

and

TEAMSTERS LOCAL UNION #87

Affiliated With The

**INTERNATIONAL BROTHERHOOD
OF
TEAMSTERS**

2006 — 2009

ARTICLE XVI
Working Rules for Teamsters

1601. Single Shifts:

1601.1. Eight (8) consecutive hours, exclusive of meal period, between 5:00 a.m. and 5:30 p.m. shall constitute a day's work. Forty (40) hours, Monday 5:00 a.m. through Friday 5:30 p.m., shall constitute a week's work.

1601.1.1. The starting time of single shifts shall be between 5:00 a.m. and 9:00 a.m., Monday through Sunday. Starting time shall be changed only to meet a bona fide job requirement. Starting times shall not be staggered. Twenty-four (24) hours prior written notice shall be given to the Union in cases of deviation from the original starting time. In the event the Union is not notified in writing, employees shall be paid overtime at the appropriate overtime rate for all time outside the regular constituted shift.

1601.1.2. All time worked before 5:00 a.m. and after 5:30 p.m. and all time worked in excess of eight (8) consecutive hours, exclusive of a meal period, and all work performed or hours paid on Saturdays, Sundays and holidays, shall be paid at the appropriate overtime rate.

1601.2 When so elected by the Contractors, four (4) consecutive ten (10) hour days may be worked from Monday through Thursday or Tuesday through Friday at the straight time rate. Ten (10) consecutive hours, exclusive of meal period, shall constitute a days work. Forty (40) hours Monday through Thursday, or Tuesday through Friday shall constitute a week's work.

1601.2.1 It is understood that if an employee's shift is changed, during a particular week from a ten (10) hour shift to an eight (8) hour shift the 5-8's overtime provision, as set forth in 1601.1.2 shall apply and the employee will be paid at the appropriate rate or rates for the entire week.

1601.2.2. The Contractor shall notify the Union, as soon as possible, of any changes from an eight- (8) hour shift to a ten- (10) hour shift, or from a ten (10) hour shift to an eight (8)

hour shift.

1602. Multiple Shifts:

1602.1. When so elected by the Contractor, multiple shifts may be worked for three (3) or more consecutive days, provided that the Union is notified in writing twenty-four (24) hours in advance of the effective date of the starting of such multiple shift operations, Saturdays and Sundays excluded for this notification. Contractors shall have the right to designate the craft or crafts on any project or portion thereof, who shall work on a multiple shift basis, provided, however, that men working on multiple shifts shall not be interchangeable with those working on a single-shift basis. All employees on multiple or single shifts commencing work prior to the established starting time, shall be paid at the appropriate overtime rate. In no event shall the regular hours of different shifts overlap, nor shall any interval between shifts exceed the reasonable time necessary to change shifts, and in no event shall such interval exceed one (1) hour except when a special shift is established in accordance with paragraph 1604, Special Shifts.

1602.2. It is understood that a single and a multiple shift may work concurrently on a project.

1602.3. Where the Contractor performs field lubrication and/or repair on equipment outside of the regular single-shift operation, employees performing such work shall be considered as working on the multiple-shift basis and receive eight (8) hours' pay for seven (7) hours' work at straight time pay, Monday through Friday. All time worked or hours paid for after seven (7) hours worked or paid for in one (1) day on Saturday, Sunday and holidays shall be paid for at the appropriate overtime rate.

1602.4. When two (2) or three (3) shifts are worked, each shift shall be paid for eight (8) hours which shall be worked and paid as follows: the first shift shall work eight (8) hours and be paid for eight (8) hours; the second shift shall work (8) hours and be paid for eight (8) hours plus and additional one dollar (\$1.00) per hour premium for all hours worked; the third shift shall be paid for eight (8) hours at the regular hourly rate for six and one-half (6½) hours worked.

1602.5. Any time worked from Friday midnight to Sunday midnight, or on holidays or in excess of the regular shift hours or hours paid for shall be paid for at the appropriate overtime rate, except as provided in Paragraph 1602.6.

1602.6. The Friday graveyard shift ending on Saturday morning will be considered Friday work. The Saturday graveyard shift ending Sunday morning will be considered Saturday work. The Sunday graveyard shift ending on Monday morning will be considered Sunday work.

1603. It is agreed that the Contractor and the Union may mutually agree in writing, upon different starting or quitting times for any of the above shift arrangements.

1604. Special Shifts:

1604.1. When the Contractor produces evidence in writing to the Union twenty-four (24) hours in advance of a bona fide job requirement that work can only be performed outside the regular day shift due to requirements by City, County or State and other Contracting agencies, an employee shall work eight (8) consecutive hours, exclusive of meal period, for which he shall receive eight (8) hours' pay at the straight time rate of pay, Monday through Friday. All time worked or hours paid for Saturday, Sunday and holidays shall be paid for at the appropriate overtime rate. When the above conditions exist and it is necessary to begin or end a shift during the hours specified in 1602.6 of this Article (for Saturday and Sunday work) in order for an employee to complete a forty (40) hour work week, the overtime rate will not apply; otherwise, all time worked or hours paid for Saturdays, Sundays and holidays and hours worked in excess of eight (8) hours, shall be paid for at the appropriate overtime rate. It is agreed, however, in the operation of this shift, no employee will lose a shift's work. Employees working this special shift shall receive fifty cents (\$.50) per hour in addition to his regular rate of pay.

1604.2. When maintenance or remodeling work cannot be performed on the regular shift because of the fact that establishment cannot suspend operations during the day, a special single shift may be employed starting at a time designated by the operations of the establishment, Monday through Friday, and employees on this shift will work seven and one-half

(7½) consecutive hours exclusive of meal period, for which they will receive eight (8) hours' pay at the straight time rate.

1605. Tide Work Schedule:

The following provisions shall apply to employees on jobs working a single shift only:

1605.1. When employees are called out to work broken time or tide work, Monday through Friday the minimum pay for such work shall be eight (8) hours at the applicable, regular straight time rate. Subject to the above minimum, in computing the time to be paid for under this provision, eight (8) hours or less worked between 7:00 A.M. and 5:00 P.M. shall be paid for at the applicable straight time rate, and time in excess of eight (8) hours worked between 7:00 A.M. and 5:00 P.M. and any time worked before 7:00 A.M. or after 5:00 P.M. shall be paid for at the applicable overtime rate.

1605.2. When employees are called out to work broken time or tide work on Saturdays, Sundays or holidays, the minimum pay for such work shall be eight (8) hours at the applicable overtime rate.

1606. Emergencies:

1606.1. When it is mutually agreed that an emergency exists, such as earthquakes, floods or fire, starting time for the shift may be made to fit the emergency and eight (8) hours in any twenty-four (24) hour period may be worked at straight time. All other terms and conditions of this Agreement shall apply.

1607. Other job related factors being equal, length of service with the Employer shall be the key factor with respect to assignment of equipment and shifts.

1607.1. Length of continuous service with the Employer shall be given consideration prior to laying off an employee provided the employee can perform the work required and provided further the employee has three (3) or more years continuous service with the Employer.